

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	David R. Cheriton		
Assignee:	Cisco Technology, Inc.		
Title:	METHOD AND APPARATUS FOR PROCESSING DUPLICATE PACKETS		
Application No.:	10/626,792	Filing Date:	July 24, 2003
Examiner:	Jeffrey M. Rutkowski	Group Art Unit:	2473
Docket No.:	CIS0192US	Confirmation No.	1225

Austin, Texas
February 23, 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

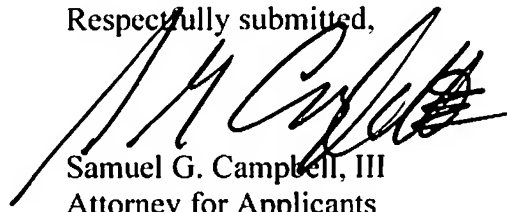
The above-identified application has been held abandoned for failure to respond to the Notice of Allowance of October 28, 2010, which had a shortened statutory period set to expire January 28, 2011. This Notice of Allowance was never received by applicant's current representatives. Pursuant to 37 C.F.R. § 1.181(a), the applicants respectfully petition the Commissioner to withdraw the holding of abandonment in the above-identified application and remail the non-received Notice of Allowance in light of the following points:

1. The original Notice of Allowance of October 28, 2010 was never received by the applicant's current representatives, and thus the applicants could not have responded to the Notice of Allowance within the statutory period.
2. Per MPEP § 711.03(c)(I)(A), the applicants respectfully submit that a Petition to Withdraw Holding of Abandonment is proper under these circumstances. Accordingly, the undersigned states for the record that the original Notice of Allowance of October 28, 2010 was not received by counsel for the applicants.

3. The undersigned also states for the record that applicants' current representatives have a docketing system for recording all Actions received at the correspondence address of record with the USPTO. Per the firm's procedures, all incoming Actions are entered into the docketing system promptly after receipt. The docketing system tracks the application number, attorney docket number, mail date of the Actions, and due dates for responses to the Actions. This docketing system is believed to be sufficiently reliable.
4. The undersigned states for the record that no hard copy of a master docket is known to exist that shows all replies for Campbell Stephenson (CS) LLP, applicants' current representatives, that are docketed for January 28, 2011. The undersigned states that the docketing system prints dockets for an individual attorney, which identify due dates for all Action replies that list the individual attorney as the responsible, supervising, or working attorney. The attached docket portion shows all replies due January 28, 2011 in which SGC (see far right hand side), the undersigned, is the responsible, supervising, or working attorney. A review of this docket portion shows no reply was due January 28, 2011 for the instant application, which supports the position that the original Notice of Allowance of October 28, 2010, was not received by Applicants' current representatives.
5. Attached is an invention data sheet that was recently printed from the docketing system for the instant application, which is identified by inventors, attorney docket number and title. The undersigned states for the record that the attached invention data sheet lists SGC as the responsible attorney for the instant application, and that SGC has been the responsible attorney for the instant application since April 19, 2010, a date that predates the mailing date of October 28, 2010. The undersigned states for the record that the docketing system will record the date when an update is made to the responsible attorney. The attached invention data sheet shows that no change has been made to the responsible attorney since April 19, 2010, the date of the last update to invention data for the instant application.
6. The undersigned attests to the fact that a search of the file jacket and docket records indicates that the original Notice of Allowance of October 28, 2010 was not received. Attached are copies of the docket record for this application and file jacket. These copies show that the Notice of Allowance was not entered into the docketing system per CS LLP's procedures and that the Notice of Allowance was not entered onto the file jacket per the CS LLP's procedures.
7. The applicants therefore respectfully request that the holding of abandonment be withdrawn and the nonreceived Notice of Allowance of October 28, 2010 be remailed.

In view of the remarks set forth herein, the applicants believe the holding of abandonment should be withdrawn, the nonreceived Notice of Allowance of October 28, 2010 should be remailed, and that no petition fee is required. Should any fee be due for this petition, please charge such fee to Deposit Account No. 502306. Should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. G. Campbell, III", written over the typed name.

Samuel G. Campbell, III
Attorney for Applicants
Reg. No. 42,381
Telephone: (512) 439-5084
Facsimile: (512) 439-5099

Wednesday, February 23, 2011

Due Date List By Date

Page: 1

28-Jan-2011 To 28-Jan-2011

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
28-Jun-2011	3 Month Due Date	SBL0021 /	Published	10/322381	17-Dec-2002	SGC
Due Date	US-Final Office Action	United States of America	Siebel Systems, Inc.			SSM

Wednesday, February 23, 2011

Report Selection

RecordCount: 1

- by Due Date
- by Due Date (Calendar)
- by Attorney
- by Attorney (Via Email)
- by Client

Report Format
Concise

- Comprehensive

Remarks
Print

- Do Not Print

Preview before printing ✓

From Date: 28-Jan-2011

To Date: 28-Jan-2011

Status Codes:

Active

Status(es):

Client:

Attorney: SGC

Action Type:

- All

Action Due:

Indicator:

Country:

Area:

Invention Data

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Page: 1

Case Number: CIS0192

Client: CIS

Cisco Systems, Inc.

Client Reference #: 7289

Disclosure Status: Filed

Disclosure Date: 31-Jan-2003

Owner:

Attorney(s): SGC

Title: Method And Apparatus For Processing Duplicate Packets

Priority Date: 24-Jul-2003

Country: United States of America

Inventors:

Cheriton, David R.

User ID: lclark

Date Created: 01-May-2003

Last Update: 19-Apr-2010

INVENTOR(S): David R. Cheriton

TITLE: METHOD AND APPARATUS FOR PROCESSING DUPLICATE PACKETS

SERIAL NO.: 10/626,792 FILED: July 24, 2003

ASSIGNEE: CISCO Technology, Inc.

ASSIGNMENT RECORDED: 7/24/03 Reel: 014328 Frame: 0393

CLIENT: CISCO Systems, Inc.
(Full Legal Name)

STATE OF INCORPORATION: California Client Ref. No: Seq. # 7289

ENTITY STATUS: ☒ Large ☐ Small Date of change: _____

RELATED: Serial No.: _____ Docket No.: _____

US CASES Serial No.: _____ Docket No.: _____

Serial No.: _____ Docket No.: _____

Serial No.: _____ Docket No.: _____

FOREIGN FILED IN: _____

BUCKET ACCOMPANIES FILE: ☐ Yes

OFFICE ACTIONS		RESPONSE MAILED
PTO Mail Date	Due Date	
NFOA: 6/11/07	9/11/07	8/21/07
FOA	11/1/07	RCE, Amendment 4/28/08
NFOA	7/25/08	R NFOA 10/27/08
Now-Comply	11/25/08	Rep Now-Comply 12/8/08
NFOA	3/16/09	Response 1 mo EOT 7-16-09
11-23-09 FINAL OA	1-23-10 2mo. 2-23-10 3mo	RCE, Amnt. 2-23-10
NFOA 3-30-10	6-30-10	8-30-10

ABANDONED: _____

NOTICE OF ALLOWANCE DATE: _____ ISSUE FEE PAID: _____